

**CITY OF AUBURN  
TELECOMMUNICATIONS COMMISSION**

**Thursday, November 13, 2003  
4:00 p.m. to 5:30 p.m.**

Auburn City Hall  
Room 10, 2<sup>nd</sup> floor  
1225 Lincoln Way, Auburn, CA 95603

**Meeting Minutes**

**1. ROLL CALL AND DETERMINATION OF A QUORUM**

Meeting was called to order at 4:05pm. Tom Maguire, Mark McDonald, and Glenn Tonkin were present

**2. AGENDA APPROVAL**

Tom made motion to accept agenda as is. Mark seconded. Motion approved.

**3. PUBLIC COMMENT**

Tom discussed Comcast dissolving the West division, and restructuring. The purpose of the comment was to keep an eye on what transpires, as moves like this usually mean future system swaps/sales, etc.

**4. APPROVAL OF MINUTES**

*Review and approve of minutes for the regular meeting of **October 9, 2003**.* Mark made motion to approve As amended. Tom seconded. Motion was approved.

**5. BUSINESS**

- A. Review and discuss proposed Resolution exhibit submitted by SBC for consideration. The result is to formulate a recommendation to the City in regard to its merit.  
The resolution was discussed, and the commission felt that this resolution has no merit in the City of Auburn. Specifically in the resolution, Item #1 is covered by the CPUC and local franchises that companies cannot cherry pick areas to build, and if a company is to offer service, they must do so to the entire geographic area where they are approved to provide service. With respect to item #2, the commission does not see where a competitive business should have to report their success or failure with respect to number of subscribers within a community. Item #3 is covered if the company is a publicly traded company in annual reports with respect to capitol investment. If it is a privately held company, this type of information would be part of an overall strategic business plan, which should not have to be divulged to their competitors. The commission believes the request for union vs. non union employees has no validity whatsoever to a company's ability to provide competitive sound service to a community. The commission believes that the wording of this resolution would actually stifle competition, which is not in the consumers' best interest.
- B. ACTV update  
Glenn stated that the fiber run is in process, and is on track for completion by the end of the month. There are two new people that have taken over for Christopher Crites and Melissa Macey. Christopher's replacement is Paul Towne and Melissa's replacement is James Aaron. Ron Montana has volunteered to step in as executive director, and to help with training of the two new individuals. Ron's time is volunteered; however the other two positions are paid positions. ACTV is implementing a new bar code system for equipment, which will help with the tracking of the equipment. The studio has been recently repainted.
- C. Discuss Commission concerns regarding the PEG studio facility and its usage by PUHSD with respect to the following key areas:
  - 1. *Reported damage and theft of City owned assets due to on going security issues.* Glenn met with the city attorney to discuss the ownership issues of ACTV, as well as the lease agreement with PUHSD. The city attorney stated that both the Telecomm commission, and ACTV, needs to draft letters to the city detailing the concerns of each party, as well as providing recommendations to resolve the issues between ACTV and PUHSD.
  - 2. *Loss of key studio staff members and it's effect on ACTV's ability to satisfy obligations to the City.* Both Christopher and Melissa left ACTV primarily due to these issues.

3. *Questions of state of compliance with the Franchise Agreement PEG channel support/promotion clause [page 22 of 96-10 section 8.11-C-2].* Glenn stated that the high school is not supporting PEG as defined in the franchise agreement, and as a result, could be out of compliance.

The result of this discussion is to formulate and authorize a letter to the City detailing the Commission's concerns, as well as, providing recommendations as to an equitable path of resolution for all parties.

Glenn suggested the commission should meet over at the studio to get a better handle on what the issues are, see the inventory, and be better prepared to establish guidelines for operation.

- D. Telecommunications strategy/planning recommendation status

It was decided to table conversation on this topic until the full commission was present.

## **6. CORRESPONDENCE**

Review of correspondence received after agenda was mailed to Commissioners. Barry Egan from Charter came in to bring a sample of the messengered conduit that was used in the freeway crossing. Mike Malvey was interested in seeing a sample.

## **7. INFORMATION AND ANNOUNCEMENTS BY COMMISSIONERS**

Glenn announced that starting December 1<sup>st</sup>, he will be working out of McClellan Park. This may require more travel on his part, and as a result, may not have the time to commit as he has in the past.

## **8. AGENDA ITEMS, DATE, AND TIME OF NEXT MEETING**

Follow up on confirmation of franchise agreement status. The meeting will be held Thursday, December 11<sup>th</sup>, at 4pm.

## **9. ADJOURNMENT**

Tom made the motion to adjourn, seconded by Mark. Meeting was adjourned at 5:20 pm